



STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
NEW JERSEY STATE BOARD OF NURSING

IN THE MATTER OF THE SUSPENSION OR
REVOCATION OF THE CERTIFICATION OF

Administrative Action

CHARISSE F. OAKES, C.H.H.A.
Certificate No. 26NH13394900

FINAL ORDER OF
DISCIPLINE

TO PRACTICE AS A HOMEMAKER-HOME
HEALTH AIDE IN NEW JERSEY

This matter was opened to the New Jersey State Board of Nursing (the "Board") upon receipt of information alleging that Respondent was arrested for possession of certain prescription drugs, which the Board has reviewed and on which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Charisse F. Oakes ("Respondent") is the holder of certificate number 26NH13394900 and has been certified at all times hereto.

2. Upon receipt of a flagging notice advising that Respondent was arrested on October 8, 2012 by the State Police, Perryville for violation of N.J.S.A. 2C:35-10.5A(4) Distribute/Possess Prescription Drug/Stramonium Preparation and N.J.S.A. 2C:35-24, Possess Certain Prescription Drug, the Board

sent a letter of inquiry, requesting certain information and submission of documents, to Respondent's address of record in Newark, New Jersey, via regular and certified mail on or about October 10, 2012. A response was due within twenty (20) days. The regular mailing was returned; the certified mailing was returned to the Board as "unclaimed."

3. To date, Respondent has not provided a complete response to the Board's request for information.

CONCLUSIONS OF LAW

Respondent's failure to respond to the Board's request for information constitutes a failure to cooperate with a Board investigation, in contravention of N.J.A.C. 13:45C-1.2,-1.3, in violation of N.J.S.A. 45:1-21(e), subjecting Respondent to disciplinary action pursuant to N.J.S.A. 45:1-21(h). Respondent's failure to provide the Board with a valid address constitutes a violation of N.J.A.C. 13:37-5.7.

DISCUSSION

Based on the foregoing findings and conclusions, a Provisional Order of Discipline (POD) was entered by this Board on March 22, 2013 provisionally suspending Respondent's certificate to practice as a Certified Homemaker-Health Aide in the State of New Jersey until Respondent cooperates fully with

the Board's investigation by providing the Board with the information requested in the Board's letter of inquiry. The Board also assessed a \$200.00 penalty. The order provided that it would be subject to finalization by the Board at 5:00 p.m. on the 30th business day following its entry unless the Respondent requested a modification or dismissal of the Findings of Fact or Conclusions of Law by submitting a written request setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed, and submitting any and all documents or other written evidence supporting her request for consideration. Copies of the Provisional Order were mailed to the Respondent via certified and regular mail, return receipt requested, to her address of record.

On April 26, 2013, the Board received correspondence from Ms. Oakes in which she provided a narrative statement regarding her version of the underlying conduct which gave rise to the offense for which she was arrested and some information regarding her current employment. However, she failed to provide court documentation, police reports, an update on her case and certain information regarding her new employment, such as her job title, dates of employment, and most recent performance evaluation requested by the Board.

Accordingly, it is determined that further proceedings are not necessary and that the Provisional Order should be made final.

ACCORDINGLY, IT IS, on this day of November 4th, 2013,

ORDERED that:

1. Respondent's certificate to practice as a homemaker-home health aide hereby is suspended until such time as Respondent cooperates fully with the Board's investigation by providing the Board with the information requested in the Board's letter of inquiry.

2. Respondent shall remit payment of a monetary penalty pursuant to N.J.S.A. 45:1-25 in the amount of \$200.00 by certified check or money order payable to the State of New Jersey, delivered to George Hebert, Executive Director, State Board of Nursing, P.O. Box 45010, Newark, New Jersey 07101.

3. Respondent shall refrain from engaging in the practice of certified homemaker-home health aide and shall not represent himself as a certified homemaker-home health aide until such time as his certification is reinstated. Any practice in this State prior to such reinstatement shall constitute grounds for a charge of unlicensed practice.

NEW JERSEY STATE BOARD OF NURSING

By: _____

Patricia Murphy *Ph.D. APRN FAAN*
Patricia Murphy, Ph.D., A.P.N., F.A.A.N.
President